

*The true Idea of Liberty consistent with the
Restraints of Religion and the Laws
of Civil Communities:*

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S E R M O N

PREACHED IN

The CATHEDRAL CHURCH OF CHESTER,

On Monday the 19th of April, 1773.

B E F O R E

The Hon. JOHN MORTON, Esq; Chief Justice of
CHESTER, and the Hon. Mr. Justice SKYNNER;

GEORGE WILBRAHAM, Esq; High Sheriff;

Sir RICHARD BROOKE, Bart. Foreman, and the rest
of the Gentlemen of the Grand Jury of the
County of CHESTER:

A N D

Published at the Request of the High Sheriff and Grand Jury.

By the Rev. E. MAINWARING, M. A.
Prebendary of CHESTER.

L O N D O N:
Printed by RICHARD HETT, 1773.

The First Year of Pisces according to
Reigns of Rulers and the Years
of City Continuities.

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и погоня в

The Captain of Chaldees of Chaldees

On Monday the 10th of April 1701

at 10 a.m.

The Holy Year of the Great God of the Universe
Chaldees, King of Hell, King of the Universe;

George Wimberly, His High Sheriff;

John Nicoll, Doctor, Dr. Thomas, and the rest;

of the Corporation of this City, and of the

Court of Chancery;

and

Philipps of the Royal Society of the University of Cambridge;

By the Year of the Moon and Year of the Year;

Superiority of Chancery;

LONDON:

Print'd by Richard Wall, 1701.

2 PET. II. 19.

*While they promise them Liberty, they them-
selves are the Servants of Corruption.*

HERE is in the Frame of Man a natural
Desire to gratify his Appetites, and to pur-
sue the Dictates of his Will. In this Free-
dom of Indulgence there is an Appearance
of Happiness, and we look with an evil Eye on what-
ever would limit or restrain it. But this is altogether
a Deception; arising from a partial Consideration of the
human Nature, and too precipitate a Conclusion con-
cerning the Means of Happiness. He that looks into
himself and examines his own Frame, will find, that
besides those Desires which stimulate, and that Will
which provokes him to Action, there is a Principle of
Consideration and Choice: a Faculty of Reason presid-
ing over the Mind; watching its Propensities, judging
of the Objects that solicit it, and determining whether
the Thing desired be in reality good or bad: and that

he who yields to his Desires, without consulting his Reason, pays an undue Partiality to the Appearances of Happiness, while he refuses the supreme and governing Principle of his Nature. What is there more evident, than that every Thing is not good which is so in Appearance? It is the Duty therefore and it is the Interest of every intelligent Being, to restrain the Desires of the Mind, and to believe that Happiness consists not in an unbounded Freedom of the Appetite, but in the just and moderate Restraints of it. But fatal Experience shews us, that the still, small Voice of Reason is overborne by the Turbulence of Passion; and therefore, in aid of the former is superadded, on one hand, the Law of Man, and, on the other, the Law of God. In discoursing upon the Words I shall consider these two as the just and proper Restraints of human Freedom. And first with regard to the Law of Man. In Society, natural Liberty is restrained by human Laws, i. e. every one's Power of acting maliciously, and doing Injury to another, is taken away from him; while the Liberty of promoting one's own in conjunction with the public Welfare is totally free and unconfined: so that civil Liberty consists in the Obligation of all to promote the common Good; and is as much better than natural Liberty, as it is better to take away the Power of Evil, than to permit and indulge it. The Liberty that has not a Tendency to secure the valuable

Rights of Men and to improve their Happiness, is no Privilege to be desired; it is nothing better than the Fierceness of wild Beasts, which common Security teaches us to conquer and subdue.

To do what we please therefore in Society is not Liberty; but the true Idea of it is, the abandoning the Will and Power to do Evil, and an Obligation to contribute every one his own Endeavours for the public Good.—Let us consider more particularly, what it is that human Laws prohibit on the one hand, and to what Kind of Behaviour they oblige us on the other; and we shall soon perceive, that the Liberty they take away from us is only the Liberty of Hurt and Confusion, the Liberty of doing Injury to another, or of abusing ourselves.—The universal Aim of human Laws is Peace and Safety: the restraining the violent Passions of Men, and rendering the Condition of this Life as secure and easy as the Things around us will admit: Beyond this, I think, human Laws have no Tendency: Their Aim is not to exalt the Happiness of Mankind to any rapturous Degree, or to fix us in a State of Ecstasy and Joy: This, I fear, is beyond the Reach of Legislation here; and the Lawgivers of the World will deserve our highest Applause, if in any good Degree they defend us from Injury and Wrong. The most perfect Legislation is that which brings about the Ends

of Society with the fewest Checks on the natural Liberty of Mankind: And it is imperfect in two opposite Regards; either when the Restraints are too great or too little for the Ends proposed to be obtained. Laws coercive in the Extreme look towards Slavery; and the more relaxed System gives too great Scope to the Violence of human Passions: but where shall we mark the indivisible Line that is the precise Boundary of perfect Legislation? This is not to be looked for in the Kingdoms of the World; we may aim at what is perfect, but we must be content with less; and those Visionaries that regard it must wait for it in the Millennium of a very distant Period. Human Laws then are intended to operate as an adequate Restraint upon human Passions; that the irregular Will of one Man may not exert itself to the Prejudice of another; that the Great and the Little, the Strong and the Weak, may make the same Appeal, and derive Justice and Judgment from the promulgated Voice of their Country.—To give Precepts for the Conduct of Life, is the Business of Philosophy: to touch the Conscience, and inspire the Fear of an invisible Being, is the Province of Religion: but to mark the Overt Act of Violence, and to punish the malicious Extravagance of unsociable Men, is the Aim of Legislation; and a noble Aim it is, since it intends nothing less than the Preservation of the Whole; the beating down the injurious Passions of Men,

Men, and giving free Scope to the Exercise of every Social Virtue. But how is this contrary to any true Idea of Freedom? or how is natural Liberty hurt and offended by it? He that should object to the Principle and Operation of equal Laws must disclaim human Society: He must seek for the Liberty he wants in Woods and Forests; he must indulge it in the uncultivated Wilds among his kindred Brutes; the Dragon and the Owl are the suitable Companions of his Life, and he must exchange the elegant City and his Dwelling among Men for Dens and Caves of the Earth. Nor are there wanting speculative Philosophers, who have minutely enquired into this Subject, and ventured to maintain the strange Paradox, That the savage Life, with all it's Wants and Inelegances, stript of every Ornament, and void of every Distinction of Man above the brute Creatures, is rather to be chosen than the Bands and Fetters of civil Society. They who embrace this Opinion may associate with Wolves and Tygers; and for the sake of natural Liberty adopt the original Law of the Forest, which is to live and die like a Beast, unheeded and unconnected with any human Creature: But where the Passion for Liberty is more moderate, it will be easily reconciled with the Condition of civil Society; and will abate of its natural Wildness, to admit the wholesome and comely Restraints of cultivated Life. I grant, indeed, that civil Society degenerate

and corrupted is the most unhappy State of Mankind: Solitude with Security is better than the Associations of Russians; whose Policy is but the Art of ingeniously preying upon one another, and with whom every Refinement is but another Step to Insidiousness and Rapacity. It were better to feed upon Acorns, and the spontaneous Produce of the Groves, than to riot in the populous City among elegant Fools and Parricides. —Happy for our own Country were it freed from such Pests as these; and were the Bosom of our ancient Mother uninfested with Vipers of her own creating: Happy, if to the Fertility of her Soil, and the gentle Temperature of her Climate, she could boast the filial Piety and Obedience of her Children. But *Great-Britain* teems with Monsters, unnatural and reluctant under the fostering Hand of the most indulgent Parent. A degenerate Society, I say, inverting its Principles, and departing from the End of its Institution, is of all human Evils the greatest; not to be exceeded, hardly to be equalled, by the most uncivilized and savage Combinations. This is so universally true, that there is no notable Evil under the Sun but must be referred to the Corruption of civil Life. The untutored Savage may practise Cruelty in a few Instances; attempted and provoked, his wild Rage may exert itself in shocking

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Barbary; he may cut the Throats of a defenceless Family, or tear off the Scalps of a few unfortunate contingent Adversaries: but how diminutive is this Fury, when compared with the Rage and Malice of civil States? how little to be regarded when placed beside the murdering Spirit and desolating Humour of the exasperated Citizen? So evident it is that a civilized people degenerate, inattentive to Religion, and disobedient to the Laws of Man, are more mischievous and intolerable than the Herds of Savages; I had almost said, than the Dens and Caves of the fiercest and most intractable brute Creatures.

There is a Passage to our Purpose in the Jewish Scriptures, descriptive of the People of the *Amorites*; and conveying no disadvantageous Notion of their unpolished Manners. When the *Jews* were about to take Possession of their Country, they are cautioned by *Moses* not to extirpate the People all at once, for this remarkable Reason, lest the Beasts of the Field should increase upon them. This, I say, we may well understand as a Representation very favourable to that People, and in some sort descriptive of their native and uncivilized State: It is a favourable Representation, as it shews them to be tamer Creatures, and more eligible with regard to Vicinity, than the wild Beasts of the Field; which is more than can be said of any Nation

upon Earth, that is at once both civil and corrupt. Look among the most polished Nations, and see what is effected by Civility joined with Corruption, and we shall only find the greater Perfidy and Dissolution; all the Powers of Wit and Understanding joined to carry Wickedness to it's utmost Height. Simple Nature may be corrupted, but it is improved Sense and polished Manners that admit of superlative Depravity. Nations of Savages have subsisted from Time immemorial; there is no historical *Æra* of their Rise; nor any Account of their Dissolution; their irregular State has no political Distempers; no dire Disease is engendered in the Constitution, to bring it to it's last and destined Period. But in the Construction of civil States it is far otherwise; they are none of them formed for Immortality; they have been found to rise and fall, to attain to a certain Maturity, and to verge into a decrepid old Age; and at last to perish without any Memorial but a Name; or it may be some mouldering Pillar or dusty Pyramid.

What has been said upon this Head may be thus concluded: The Law of every Society must be considered as a certain fixt Point, to which the Will of every Individual has a Convergency; and where this is strictly observed, in such a Society there is but one Will, declaring and expressing itself in the customary

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Institutions or written Laws of that Country. Conformity to this general Will is evidently the Duty of every one breathing the Air of the Climate, and deriving Safety and Protection from the associated Combination. It is not enough for an Individual, or any Number of Individuals, to say, I am dissatisfied with this, I cannot yield my Consent to that: For if this were permitted, no Society could subsist. Where is there a Province, a Village, or a Family, united in the same Judgment? Private Views and Interests must give way to the governing Principle, or Society is dissolved; it is no longer one Will, operating to the Good of all; but an irregular Divergency; clouding and obstructing the general System, and bringing on a Dissolution of all its Faculties and Powers.—“ While they promise them Liberty, they themselves are the Servants of Corruption.”

Having thus at large considered human Laws as friendly to Liberty and the Happiness of Mankind, I am now to consider Religion as operating to the same good Effects.—By Religion, I mean a due Fear and Reverence of the Supreme Being; exciting Mankind to such Acts and Habits of Virtue as tend to the Happiness both of social and private Life: and by this Definition I secure to myself the Argument beyond Controversy; for whatever it is that pretends to be Religion,

without this Tendency, is not Religion, but it's Counterfeite; something that assumes it's exterior Garb and Appearance, and has for its Foundation either Knavery or Folly: Does it fill the Minds of Men with undue Apprehensions, and croud the Imagination with whimsical and groundless Conceit? it is the Folly of Superstition: Does it inflame the Passions and stir up to a devout Extravagance? it is the Error of Enthusiasm: Does it palliate or excuse the Vices of Mankind; does it commute for Folly and Wickedness, does it give Indulgences to Sin? This is not Religion, it is Impiety and Fraud. Religion is ever friendly to Men, whether associated or alone; whether gathered together in the crowded City, or in Retirement and Solitude; whether busied in the Affairs of the World, or abstracted from it: It sheds it's kindest Influence upon all; it gives a Lustre to the Honourable and the Wealthy, to Kings and Counsellors of the Earth, and secures to them that Veneration and Esteem which their high Place and Integrity deserve. The Charities of Religion are to the poor Man Bread and Clothing; to the Afflicted, Comfort; to the Citizen, Liberty and Freedom; to the Prisoners, Joy and Assurance, that Mercy will go hand-in-hand with Judgment, and that Pity and a Remembrance of human Frailty will accompany all its Determinations. Civil Society is the Friend of Liberty, Religion is the Perfection of it:

The former is the Wisdom of Man exerting itself in the Government of human Passions; the latter is the Wisdom of God, legible in the Book of Nature; arising out of the Frame and Constitution of Man, and his Relation to all the Beings that surround him:—what is defective in the Code of civil Society is perfected in the Law of God. The Law of Man was devised against flagrant and open Wickedness: It is made, says St. *Paul* to *Timothy*, not for a righteous Man, but for the Lawless and Disobedient, for the Ungodly and for Sinners, for Unholy and Profane, for Murderers of Fathers and Murderers of Mothers, for Manslayers, for Whoremongers, for them that defile themselves with Mankind, for Men-Stealers, for Liars, for perjured Persons, and if there be any other Thing that is contrary to sound Doctrine. These open Violations of Peace and Order are the Objects of the Law of Man: But the Law of God is more penetrating and pervading; it affects the Consciences of Men, and reaches the Thoughts and Intentions of the Heart; and the emboldened Sinner, who shelters himself in the Darkness of the Night, shudders at the Apprehension of Him with whom there is no Darkness at all. Take away the Influence of the Law of God, and in how many Instances may the profligate Offender bid Defiance to the Laws of Man? How completely wicked may he be

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without transgressing any one Law of his Country? He may practise Ingratitude, Lying, Evil-speaking, revealing of Secrets, false Judgment, wrong Advising, Ill-will to one's Country, Disobedience to Parents, Unkindness to Friends, Uncharitableness, Envy, Breach of Promise, Profusion, Luxury, Partiality, Hypocrisy; and besides these Immoralities, every Crime that may be secretly committed. Then with how just Reason do we esteem and reverence the divine Law, which is so friendly to civil Society, and so perfective of the incurable Deficiencies of the Laws of Man? which establishes Liberty on its best Foundation, and presents it in its purest Form, without Glossing or Corruption?

I am sensible before how respectable an Audience I have the Honour to stand; and how ill it would become me in my private Capacity to speak of Justice and Judgment and Mercy, Topics so well understood and so religiously attended to in the Place of Judgment. —Calumny itself has not dared to open its Mouth, or throw out a Word upon the Subject.

Nor before the Grand Jury of this County need I to descant, in common-place Terms, of Rectitude and Honour and Integrity in the Business of their Department. From long Experience I foresee they will do what

what they have ever done; influenced by generous Motives, inspired by native Virtue, conscious of their own Worth and Esteem, as Men of distinguished Place and Property in their Country, they will exert themselves usefully in it's Service; Be the steadfast Friends of Religion and Virtue, and Foes only to Vice and Immorality: They will help them to Right that suffer Wrong, and punish the Evil-Doer.

Under the happy Auspices of Justice so administered, it is a Felicity to exist: but there is a Fatality in human Things; and it is not given us to enjoy all that is before us: To know one's own Happiness is the most difficult Science of all: In the Midst of every Blessing that Society can bestow, we are querulous and reluctant; have a Pleasure in mistaking our Advantages, and call Things by false Names. In short, Folly and Madness were never at such a Crisis: But yet we know not the Consequences of Things: Out of the Folly of this People may spring up a better System; the Children of the next Generation may be wiser than their Fathers, and profit by our miserable Example to esteem good Government and Order, to distinguish Liberty from Corruption, and, in the Words of the Apostle, to be subject to Principalities and Powers, to obey Magistrates, and to be ready to every good Work. And

happy are the People who know their own Advantages; and use them to the common Peace and Welfare of Society. May this be the Wisdom of our own People; and by it may we perpetuate the Happiness of our native Country to remotest Generations;

Now, &c.

May the Year of our Lord 1776 be a happy one to all

the People of the United States.



